

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RAVINDER SINGH,	:	<b>CIVIL NO. 1:08-CV-0149</b>
	:	
Petitioner	:	(Judge Caldwell)
v.	:	
	:	(Magistrate Judge Smyser)
U.S. DEPARTMENT OF HOMELAND	:	
SECURITY, et al.,	:	
	:	
Respondents	:	

**REPORT AND RECOMMENDATION**

On January 24, 2008, the petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. At the time he filed his petition, the petitioner was an alien in the custody of the United States Immigration and Customs Enforcement (ICE). He challenged his continued detention by ICE. He sought his immediate release from custody.

On April 7, 2008, the respondents notified the court that the petitioner was removed from the United States to India on or about March 28, 2008.

Article III of the Constitution provides that the judicial power of the United State shall extend to "cases" and "controversies." U.S. Constitution, art. III, §2; *Rosetti v.*

*Shalala*, 12 F.3d 1216, 1223 (3d Cir. 1993). Federal courts lack authority to decide moot cases. *Liner v. Jafco, Inc.*, 375 U.S. 301, 306 n.3 (1964). If events occur during litigation which eliminate the plaintiff's personal stake in the outcome of the suit, the case must be dismissed as moot. *Rosetti, supra*, 12 F.3d at 1224.

Since the petitioner has been removed from the United States and is no longer in ICE custody his petition challenging his detention is now moot.

Based on the foregoing, it is recommended that the petition for a writ of habeas corpus be dismissed as moot and that the case file be closed.

/s/ J. Andrew Smyser  
J. Andrew Smyser  
Magistrate Judge

Dated: April 11, 2008.